CF 100/ 4

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR (C.G.)

W.P. No. 198 /2003

PETITIONER : Rambhajan S/o Nohar Patel, aged about 56 years, village - Barbhouna, Tahsil - Kharsia, Distt. Raigarh, C.G.

Vs.

RESPONDENTS :

1) State of Chhattisgarh
Through Secretary PWD (B&R)
D.K. Bhawan, Raipur (C.G.)

2. Chief Engineer
Public Works Department (B&R)
Raipur, C.G.)

3. Collector,
Raigarh (C.G.)

PETITION UNDER SECTION 226 & 227 OF CONSTITUTION OF INDIA

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उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक W.P.No.188/03 सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

20.02.2004

Shri Ravish Verma, counsel for the petitioner.

Ms. Sofia Khan, Dy. Govt. Adv. for the State.

Heard.

The petitioner has preferred this writ petition under Article 226/227 of the Constitution of India being aggrieved by the action of the respondents to the effect that the petitioner is the owner of agricultural land bearing Khasra No. 24/4 area 70 decimal, Khasra No. 24/7 area 0.59 decimals & Khasra No.24/14 area 0.12 decimals and the respondents have started marking the land without the valid acquisition and they have constructed the bridge on the petitioner's land without the acquisition of the same. The petitioner approached the Sub-Engineer and Gram Panchayat and they have offered orally a compensation of Rs.1,20,000/-, which the petitioner refused. The petitioner made a representation to respondent No.2 but to no avail. The respondents have forcibly acquired the land of the petitioner without following the procedure as established under the law, therefore, a writ of mandamus be issue directing the respondents to pay compensation of Rs.1,50,000/- to the petitioner.

Learned counsel for the petitioner submits that in the first instance the petitioner may be allowed to make a detailed representation to respondent No.3 and respondent No.3 be directed to decide the representation within a period of thirty

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उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक W.P.NO.188/03 सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित -02-	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

days from the date of receipt of the representation to which learned counsel for the respondents has no objection.

Having heard learned counsel for the parties and having regard to the facts and circumstances of the case, the petitioner is allowed to make a detailed representation raising all his grievances within 15 days from today to respondent No.3 and in turn, respondent No.3 shall decide the representation of the petitioner regarding payment of compensation within a period of 30 days from the date of receipt of the representation in an objective manner with a reasoned order.

With the above directions, the petition stands disposed of.

Consequently, M.W.P. No.173/2003 & I.A.No. 543/2003 for urgent hearing also stand disposed of.

Certified copy as per Rules.

Sd/-
L.C.BHADOO
Judge

[पीछे देखिये